

AO 455(Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

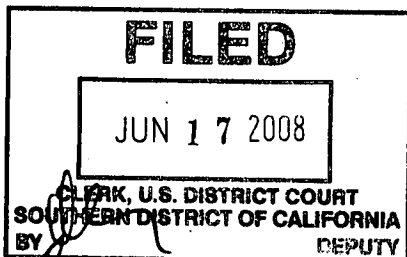
MACARIO LEYVA-CANO

CASE NUMBER: 08CR1368-BTM

I, MACARIO LEYVA-CANO, the above named defendant, who is accused of committing the following offense:

Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony),

being advised of the nature of the charge(s), the proposed superseding information, and of my rights, hereby waive in open court on 6-17-08 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.



Before

[Signature]
Judicial Officer

[Signature]
Defendant

[Signature]
Counsel for Defendant